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10 Attorneys for Plaintiff,
11 **DOLORES A. ARREGUIN**, for
12 herself and other members
of the general public similarly situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 DOLORES A. ARREGUIN, for herself
18 and other members of the general public
similarly situated,

CASE NO. C 07-6026 MHP
[Filed: November 29, 2007]

[Assigned for all Purposes to:
Honorable Judge Marilyn H. Patel]

20 Plaintiffs.

21

22 GLOBAL EQUITY LENDING, INC., a
23 Georgia Corporation; and DOES 1
through 10, Inclusive.

Defendants

**DECLARATION OF FARRIS E.
AIN IN SUPPORT OF
SUPPLEMENTAL BRIEF IN
OPPOSITION TO MOTION TO
COMPEL ARBITRATION AND
MOTION TO DISMISS**

Date : June 23, 2008
Time : 2:00 p.m.
Place : Courtroom 15

1 I, Farris E. Ain, declare:

2 1. I am an attorney duly licensed to practice before all of the state and
 3 federal courts in the State of California, including the United States District Court for
 4 the Northern District of California. I am one of the attorneys responsible for handling
 5 this matter on behalf of Plaintiff. I have personal knowledge of the matters stated
 6 herein, and if called upon to testify, I could and would do so competently.

7 2. Attached hereto as Exhibit "1" is a true and correct copy of the transcript
 8 of the Deposition of Dolores A. Arreguin taken on May 12, 2008, and a copy of a
 9 letter dated June 2, 2008, to opposing counsel notifying of changes to that transcript.

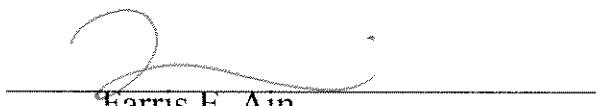
10 3. Attached hereto as Exhibit "2" is a true and correct copy of the transcript
 11 of the Deposition of Sandra Croteau taken on May 13, 2008.

12 4. Attached hereto as Exhibit "3" is a true and correct copy of the transcript
 13 of the Deposition of David Pennington taken on May 13, 2008.

14 5. Attached hereto as Exhibit "4" is a true and correct copy of the
 15 Supplemental Disclosures of Defendant Global Equity Lending, Inc.

16 6. Attached hereto as Exhibit "5" is a true and correct copy of the
 17 California Fourth Appellate District's Opinion in *Samuel Metters v. Ralphs Grocery*
 18 *Company*, Case No. 06CC10397 (April 1, 2008 Cal. Fourth Appellate Dist.)

19
 20 I declare under penalty of perjury under the laws of the United States of
 21 America that the foregoing is true and correct, and that this Declaration was executed
 22 on June 9, 2008, at Claremont, California.

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 25 Farris E. Ain
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PROOF OF SERVICE

3 STATE OF CALIFORNIA }
4 COUNTY OF LOS ANGELES } ss.

6 I am employed in the County of Los Angeles, State of California. I am over the
7 age of 18 and not a party to the within action; my business address is 269 West
Bonita Avenue, Claremont, CA 91711.

8 On June 9, 2008, I served the foregoing document described as:
9 **DECLARATION OF FARRIS E. AIN IN SUPPORT OF SUPPLEMENTAL
BRIEF IN OPPOSITION TO MOTION TO COMPEL ARBITRATION AND
MOTION TO DISMISS**

1 [] by placing the true copies thereof enclosed in sealed envelopes addressed
2 as follows:

3 [X] by placing [] the original [X] a true copy thereof enclosed in sealed
envelopes addressed as follows:

[SEE ATTACHED MAILING LIST]

[X] I deposited each envelope in the mail at Claremont, California.¹ The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the United States Post Office on that same day with postage thereon fully prepaid at Claremont, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] As follows: I am "readily familiar" with the firm's practice for delivering overnight envelopes or packages to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served, at the address as last given by that person on any document filed in the cause and served on the party making service.

[X] By filing with the U.S. District Court's CM/ECF filing system.

¹ By mail signature must be of person depositing envelope in mail slot, box or bag.

1 [] (State or Federal) I declare under penalty of perjury under the laws of
2 the State of California that the above is true and correct.

3 [X] (Federal) I declare that I am employed in the office of a member of the
4 bar of this court at whose direction the service was made.

5 Executed on June 9, 2008, at Claremont, California.

6 
7 Gwendolyn Simmons

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SERVICE LIST

Dolores A. Arreguin v. Global Equity Lending, Inc.
U.S.D.C. Case No. C 07 6027 MHP

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